

S.R. 318 - By Sharp: Commending the members of the Governor's Select Committee on Water Quality Standards for the Colorado River.

S.R. 319 - By Blake: Expressing appreciation to John B. Meriwether.

S.R. 320 - By Whitmire: Commending Edgar Herbert Kaspar.

S.R. 323 - By Caperton: Extending welcome to Dr. R. Russell Thomas, Capitol Physician for the Day.

S.R. 325 - By Barrientos: Expressing appreciation to Roy E. Bayless.

S.R. 326 - By Harris: Designating the period from April 22 through May 22, 1985, as Children of Alcoholics Month in Texas.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:29 o'clock p.m. adjourned until 11:00 o'clock a.m. Monday, April 22, 1985.

APPENDIX

Signed by Governor
(April 17, 1985)

S.B. 92 (Effective September 1, 1985)
H.C.R. 49

(April 18, 1985)

S.B. 33 (Effective August 26, 1985)
H.B. 443 (Effective immediately)
H.B. 531 (Effective September 1, 1985)

FIFTY-SIXTH DAY

(Monday, April 22, 1985)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Williams.

Absent-excused: Lyon, Washington, Whitmire.

A quorum was announced present.

The Reverend T. L. Dilworth, South Union Baptist Church of Palestine, offered the invocation as follows:

Almighty God, our Heavenly Father, bless this our State and our country that it may be a blessing to the world. Grant that our ideals and inspirations may be in accordance with Thy will, and help us to see ourselves as others see us. Keep us from hypocrisy in feeling or action. Grant us sound government and just laws, good education and a clean press, simplicity and justice in our relationship with one another, and, above all, a pride of place and equality of opportunity. We thank You for these Senators. Continue to give them heads that think and, above all, give them hearts that feel.

All of this we ask in Thy Son Jesus' name and may the glory be His. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 18, 1985, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Whitmire was granted leave of absence for today on account of illness on motion of Senator Sharp.

Senator Lyon was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Senator Washington was granted leave of absence for today on account of important business on motion of Senator Mauzy.

MESSAGE FROM THE HOUSE

House Chamber
April 22, 1985

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 58, Relating to injunctions of common nuisances.

H.B. 970, Relating to the disposition of certain fees collected for the inspection of manufactured housing units.

H.B. 900, Relating to the authority of a professional organization to establish and fund peer assistance programs to assist professionals impaired by chemical dependency or mental illness, to a report of a professional

H.B. 1085, Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 1.

H.B. 1086, Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 2.

H.B. 1087, Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 3.

H.B. 1088, Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 4.

H.B. 1089, Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 5.

H.B. 1090, Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 6.

H.B. 1091, Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 7.

H.B. 1092, Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 8.

H.B. 1093, Relating to the creation, administration, powers, duties, operation, and financing of the Cinco Municipal Utility District No. 9.

H.B. 1811, Relating to the determination of unauthorized insurance activities and the penalties assessed for such prohibited activities.

H.B. 1393, Relating to school programs for gifted and talented students.

H.B. 400, Relating to a limit on the number of persons employed by a state agency.

H.B. 1949, Relating to the application of sales and use taxes to telecommunications services and to gross receipts taxes on telephone and telegraph companies.

H.B. 1202, Relating to the recall of a member of the board of directors of an appraisal district.

H.B. 1216, Relating to the validity of signatures on voters' petitions in certain elections.

H.B. 1706, Relating to authorizing a new type of temporary alcoholic beverage permit.

S.B. 245, Relating to the authority of counties to provide law enforcement services on a fee basis and to duties of deputies. (Substituted with floor amendments)

H.C.R. 166, In memory of former Speaker of the House W. S. Barron, Sr.

S.B. 206, Relating to creation, administration, powers, duties, operations, fiscal procedures, and taxing authority of the Irion County Water Conservation District.

S.B. 257, Relating to the terms of court of the 344th District Court.

S.B. 309, Relating to the jurisdiction of the County Courts of Dallas County at Law Nos. 1, 2, 3, 4, and 5. (As substituted)

S.B. 443, Relating to the authority of a county to contract with a volunteer fire department.

S.B. 472, Relating to the cigarette and cigar and tobacco products taxes in Chapters 154 and 155 of the Tax Code.

S.B. 491, Relating to the appointment of a receiver over certain marital property.

S.B. 641, Relating to authorizing cities, towns, and villages to use or permit certain uses of the right-of-way of certain public streets for trees and decorative landscaping, sidewalk cafes, ornamental entrance

H.B. 495, Relating to the geographical area in which a city may establish a public improvement district and in which a city may undertake a project benefiting the district.

H.B. 560, Relating to the limitations period for filing an application for compensation under the Crime Victims Compensation Act.

H.B. 738, Relating to an increase in the fees paid to counties by the Texas Youth Commission for supervision of delinquent children.

H.B. 871, Relating to the acquisition, maintenance, and operation of a railroad by certain municipalities and other public agencies.

H.B. 912, Amending the Texas Trust Code relating to the investments by a trustee.

H.B. 1011, Relating to the Bexar County Child Support Services Department and to legal services and child support collection fees in Bexar County.

- H.B. 1106**, Relating to the commitment of drug-dependent persons.
- H.B. 1140**, Relating to the procedure by which the Department of Public Safety adopts certain rules.
- H.B. 1160**, Relating to procedures by which a property owner may protest certain property tax matters, including the failure of property tax officials to provide notice of certain property tax determinations.
- H.B. 1188**, Relating to the payment of property taxes pending appeal of a property tax determination.
- H.B. 1210**, Amending Article 4477-9a, Sec. 5.01(1) of Vernon's Civil Statutes relating to abandoned motor vehicles; and declaring an emergency.
- H.B. 1241**, Relating to the destruction of original political subdivision records that have been duplicated photographically.
- H.B. 1264**, Relating to the persons authorized to operate an emergency medical services vehicle under certain circumstances.
- H.B. 1310**, Relating to assignment pay for certain hazardous materials response team personnel.
- H.B. 1403**, Relating to the registration period for a motor vehicle.
- H.B. 1470**, Relating to a licensee's duty to respond to inquiries of the State Board of Insurance.
- H.B. 1478**, Relating to the terms of court of the 336th District Court.
- H.B. 1508**, Relating to sources of payment for violations of trade practices in the business of insurance.
- H.B. 1528**, Relating to the authority of certain general law cities to establish drainage utility systems.
- H.B. 1533**, Relating to the transfer of the Texas Film Commission to the Texas Economic Development Commission.
- H.B. 1560**, Relating to the refunding of bonds by water control and improvement districts.
- H.B. 1681**, Relating to the use of assumed names by foreign insurance corporations.
- H.B. 1695**, Relating to the exemption from licensure requirements of Chapter 113 of the National Resource Code for mobile home park owners and operations; and relating to the investigative powers of the Liquefied Petroleum
- H.B. 1787**, Relating to benefit wage credits under the unemployment compensation laws.
- H.B. 1819**, Relating to the regulation of alcoholic beverages.
- H.B. 1830**, Relating to classification of firemen and policemen; amending Section 8(b), Chapter 325, Acts of the 50th Legislature, Regular Session, 1947 (Article 1269m, Vernon's Texas Civil Statutes), as amended by Chapter 420,...
- H.B. 1942**, Relating to the filing of information with the Railroad Commission of Texas by persons who are within the jurisdiction of such Commission, to the designation of a resident agent for service of process purposes by
- H.B. 2044**, Relating to the listing of certain exempt property in the appraisal records.

H.B. 2045, Relating to the calculation of net to land.

H.B. 2048, Relating to the administration by the Comptroller of the Local and Metropolitan Transit Authority Sales and Use Tax Acts.

H.B. 2086, Relating to support dogs for the handicapped; providing a penalty.

H.B. 2066, Relating to overcharging by a garageman for storage of a motor vehicle, motorboat, vessel, or outboard motor placed in storage under a state law or city ordinance; providing penalties.

H.B. 2151, Relating to the fiscal year in certain counties.

H.B. 2152, Relating to suits by or against Texas Southern University.

H.B. 2216, Relating to the authority of cities to establish industrial districts in areas in which the tourist industry is located.

H.B. 2245, Relating to donations accepted on behalf of the state by the sesquicentennial commission or the State Preservation Board.

H.B. 2247, Amending Chapter 50, Texas Water Code, as amended, by adding a new Section relating to certain annexations by cities of property within districts; and declaring an emergency.

H.B. 2248, Amending Chapter 57, Water Code, by adding a new Section 57.2131, relating to the refunding of bonds by levee improvement districts.

H.B. 2300, Relating to the fiscal year of an appraisal district.

H.B. 2301, Relating to the date by which rendition statements and property reports must be delivered to the chief appraiser.

H.B. 2344, Relating to furnishing forms for an affidavit of residence to persons voting absentee by mail.

H.B. 650, Relating to the creation, administration, powers, duties, operations, functions, and financing of the Brazosport Water Authority.

H.B. 1220, Relating to the creation of the County Criminal Courts at Law Nos. 13 and 14 of Harris County, Texas.

H.B. 1287, Relating to the advisory council for the juvenile board in Castro, Hale, and Swisher counties and to the compensation of the members of the juvenile board.

H.B. 2087, Relating to the filing, numbering, docketing, and assignment of cases in and the distribution of work of the county criminal courts of Tarrant County.

H.B. 2210, Relating to the creation, administration, powers, duties, operation, and financing of the Montgomery County Municipal Utility District No. 66.

H.B. 2211, Relating to the creation, administration, powers, duties, operation, and financing of the Montgomery County Municipal Utility District No. 67.

H.B. 2212, Relating to the creation, administration, powers, duties, operation, and financing of the Montgomery County Municipal Utility District No. 68.

H.B. 2213, Relating to the creation, administration, powers, duties, operation, and financing of the Clear Creek Forest Municipal Utility District No. 1.

H.B. 2346, Relating to the inspection and sealing of voting machines prior to an election.

H.B. 2214, Relating to the creation, administration, powers, duties, operation, and financing of the Clear Creek Forest Municipal Utility District No. 2.

H.B. 2376, Relating to the jurisdiction of the county court and district court in Mason County.

H.B. 2381, Relating to the creation of the County Court at Law of Henderson County.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORT OF STANDING COMMITTEE

Senator Harris submitted the following report for the Committee on Economic Development:

S.B. 748
S.B. 1324
S.B. 956
S.B. 463
H.B. 1218
C.S.S.B. 497
C.S.S.B. 451
C.S.S.C.R. 69

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolutions:

S.C.R. 56
S.C.R. 106
S.C.R. 107
S.B. 298
S.B. 412
S.B. 473
H.B. 330
H.C.R. 164

SENATE BILL AND RESOLUTION ON FIRST READING

On motion of Senator Leedom and by unanimous consent, the following bill and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 1384 by Leedom Finance
Relating to contracts with Baylor University for the education of certain medical or dental students.

S.R. 328 by Parker Administration
Directing the Senate Jurisprudence Committee to conduct an interim study of the State's system of legal representation.

HOUSE RESOLUTIONS ON FIRST READING

The following resolutions received from the House were read the first time and referred to the Committee indicated:

H.C.R. 138, To Committee on Administration.
H.C.R. 70, To Committee on Finance.

CO-AUTHOR OF SENATE BILL 1187

On motion of Senator Brown and by unanimous consent, Senator Sharp will be shown as Co-author of S.B. 1187.

GUEST PRESENTED

Senator Uribe was recognized and introduced the Capitol Physician for the Day, Dr. Ben Garza of Edinburg.

The Senate expressed their appreciation to Dr. Garza for his service.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
April 18, 1985

TO THE SENATE OF THE SIXTY-NINTH LEGISLATURE,
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE DISTRICT ATTORNEY FOR THE 64TH JUDICIAL DISTRICT, HALE AND SWISHER COUNTIES, UNTIL THE NEXT GENERAL ELECTION AND UNTIL HIS SUCCESSOR SHALL BE ELECTED AND DULY QUALIFIED:

TERRY D. McEACHERN
Star Route
Kress, Texas 79052

(Mr. McEachern is replacing the Honorable Ron Felty of Plainview, Hale County, Texas, who resigned.)

TO BE A MEMBER OF THE STATE PENSION REVIEW BOARD:

For a term to expire January 31, 1991:

ROBERT PARKER
3330 Inwood
Houston, Texas 77019

(Mr. Parker is replacing Mr. Charles Miller of Houston, Harris County, Texas, who resigned.)

Respectfully submitted,

/s/Mark White
Governor of Texas

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

**PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS**

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Austin, Texas
April 22, 1985

TO THE SENATE OF THE SIXTY-NINTH LEGISLATURE,
REGULAR SESSION:

Pursuant to Article III, Section 5, of the Texas Constitution, I, Mark White, Governor of the State of Texas, submit the following emergency matter for immediate consideration by the 69th Legislature, now convened:

H.B. 1449, by Keller and Hightower, relating to a supplemental appropriation to the Texas Department of Corrections for security salaries.

Respectfully submitted,

/s/Mark White
Governor of Texas

(Senator Uribe in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 624 ON SECOND READING

On motion of Senator Truan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 624, Relating to examinations and competency standards required for admission into an approved teacher education program for certification as a teacher and for certification as an administrator; amending Section 13.032, Education Code, as amended, by adding new Subsections (f), (g), (h), and (i) and amending and redesignating Subsections (f) through (h).

The bill was read second time.

Senator Farabee offered the following amendment to the bill:

Amend **C.S.S.B. 624**, SECTION 1, Subsection (k) (1) by striking Subdivision (1) and substituting the following in lieu thereof:

"(1) be offered by each state-supported institution offering an approved teacher education program where a need for optional preparatory classes has been identified and by each state-supported institution that has a significant number of students who transfer into approved teacher education programs where the need for optional preparatory classes has been identified."

The amendment was read and was adopted.

On motion of Senator Truan and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 624 ON THIRD READING

Senator Truan moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 624** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Glasgow, Harris, Henderson, Howard, Kothmann, Krier, Leedom, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Williams.

Nays: Farabee, Jones.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 2. (Same as previous roll call)

BILL SIGNED

The Presiding Officer (Senator Uribe in Chair) announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill:

H.B. 32

(President in Chair)

SENATE BILL 1052 ON SECOND READING

On motion of Senator Sharp and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1052, Relating to eligibility to receive services under the Crippled Children's Services Act.

The bill was read second time and was passed to engrossment.

SENATE BILL 1052 ON THIRD READING

Senator Sharp moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1052** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 384 ON SECOND READING

On motion of Senator Sharp and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 384, Relating to the continuation, composition, powers, and duties of the Texas Commission for the Deaf and to the composition of the council on disabilities; amending the Human Resources Code by amending Sections 81.004, 81.005, 81.007, 81.009, and 81.011 and Subsections (a) and (e) of Section 132.002; by adding Sections 81.0021, 81.0051, 81.0071, 81.0072, 81.014, 81.015, and 81.016; Chapter 113; and Subsections (c), (d), and (e) to Section 81.002; Subsections (c) through (f) to Section 81.006; and Subsections (d) and (e) to Section 81.008; and by repealing Sections 81.010 and 81.012.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 384 ON THIRD READING

Senator Sharp moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 384** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed.

SENATE BILL 631 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 631, Relating to a processing fee for a dishonored check given in payment under a retail charge agreement.

The bill was read second time and was passed to engrossment.

SENATE BILL 631 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 631** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 454 ON SECOND READING

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 454, Relating to the participation of judges of statutory county courts in certain counties in the administration and supervision of probation offices and to the composition of the Texas Adult Probation Commission.

The bill was read second time.

Senator Mauzy offered the following amendment to the bill:

1. Amend **C.S.S.B. 454**, in Section 2, by substituting the following language for Section 2.02:

"Section 2.02. **MEMBERSHIP**. The commission shall consist of three judges of the district courts and one judge of the statutory county courts trying criminal cases of Texas and two citizens of Texas who are not employed in the criminal justice system to be appointed by the Chief Justice of the Supreme Court of Texas and three judges of the district courts and two judges of the statutory county courts trying criminal cases of Texas and one citizen of Texas not employed in the criminal justice system to be appointed by the presiding judge of the Texas Court of Criminal Appeals."

2. Amend **S.B. 454**, Section 3, by substituting the following language therefor:

SECTION 3. Section 2.03, Article 42.121, Code of Criminal Procedure, 1965, as amended, is amended by adding subsection (d) to read as follows:

"(d) The first judges of county courts at law trying criminal cases appointed to the Board shall serve terms of two, four, and six years respectively, and until their successors are appointed. The appointing authority shall determine which members serve two, four, and six year terms according to the method described in subsection (b)."

The amendment was read and was adopted.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 454 ON THIRD READING

Senator Mauzy moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 454 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1272 ON SECOND READING

On motion of Senator Henderson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1272, Relating to the creation, administration, powers, duties, operations, and financing of regional districts for water supply, sanitary sewer, and wastewater drainage purposes under Article XVI, Section 59, of the Texas Constitution.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1272 ON THIRD READING

Senator Henderson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 1272 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

SENATE BILL 718 ON SECOND READING

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 718, Relating to the prohibition of the provision of financial services by banking organizations having limited banking powers; and amending the Texas Banking Code of 1943, as amended (Article 342-101 et seq., Vernon's Texas Civil Statutes), by amending Article 13 of Subchapter IX.

The bill was read second time and was passed to engrossment.

SENATE BILL 718 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 718 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

SENATE BILL 1341 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1341, Relating to the repayment of student loans of physicians practicing for certain state agencies or in economically depressed areas.

The bill was read second time.

Senator Farabee offered the following amendment to the bill:

Amend **S.B. 1341**, SECTION 1, Subdivision (1) of Section 61.532(a) to read as follows:

(1) in private practice in an economically depressed or rural medically underserved area of the state; or

The amendment was read and was adopted.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 1341 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1341** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed.

MESSAGE FROM THE HOUSE

House Chamber
April 22, 1985

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 171, Designating "No Place But Texas" as the official Sesquicentennial song of the 69th Legislature.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE JOINT RESOLUTION 30 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.J.R. 30, Proposing a constitutional amendment to establish the boundaries of the county seat of Denton County and to validate governmental acts and proceedings required to be performed within that county seat.

The resolution was read second time and was passed to engrossment.

SENATE JOINT RESOLUTION 30 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.J.R. 30** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The resolution was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 30 ON SECOND READING

On motion of Senator Parmer and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 30, Relating to the elements of the offense of theft, evidence admissible in the prosecution of the offense, and defenses that are unavailable to the defendant in the prosecution of the offense; amending Section 31.03, Penal Code, as amended.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 30 ON THIRD READING

Senator Parmer moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 30** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 625 ON SECOND READING

On motion of Senator Uribe and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 625, Relating to the authority of the Texas Youth Commission to provide funds for the establishment of privately owned and operated training facilities and programs for delinquent children.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 625 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 625** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

SENATE BILL 1315 ON SECOND READING

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1315, Relating to the boundaries, powers, and duties of and the authority of certain public agencies to contract with the West Central Texas Municipal Water District.

The bill was read second time and was passed to engrossment.

SENATE BILL 1315 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1315** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1160 ON SECOND READING

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1160, Relating to the appointment, powers, duties, and immunity of and procedures before masters; amending Chapter 719, Acts of the 66th Legislature, Regular Session, 1979 (Article 1918b, Vernon's Texas Civil Statutes), and Subsections (a) and (b), Section 11.10, Family Code, as amended; and repealing Chapter 638, Acts of the 64th Legislature, Regular Session, 1975; Chapter 471, Acts of the 65th Legislature, Regular Session, 1977; and Chapter 679, Acts of the 68th Legislature, Regular Session, 1983 (Article 2338-9b.2, 2338-1d, and 1918d, Vernon's Texas Civil Statutes).

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1160 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1160** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 536 ON SECOND READING

On motion of Senator Barrientos and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 536, Relating to authorizing members of the board of trustees of a junior college district to be elected from single-member trustee districts.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 536 ON THIRD READING

Senator Barrientos moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 536 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 467 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 467, Relating to the authority of the board of regents of Texas Woman's University to levy a fee for student centers.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 467 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 467 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

SENATE JOINT RESOLUTION 32 ON SECOND READING

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.J.R. 32, Proposing a constitutional amendment to repeal the authorization for creation of a hospital district in a specified portion of Jefferson County.

The resolution was read second time and was passed to engrossment.

SENATE JOINT RESOLUTION 32 ON THIRD READING

Senator Parker moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.J.R. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The resolution was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

SENATE BILL 1246 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1246, Relating to the state auditor and the finances of certain state governmental bodies and agencies.

The bill was read second time and was passed to engrossment.

SENATE BILL 1246 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1246** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE

SENATE CONCURRENT RESOLUTION 87 ON SECOND READING

On motion of Senator Sarpalius and by unanimous consent, the regular order of business was suspended to consider at this time on its second reading:

C.S.S.C.R. 87, Requesting the Congress of the United States to enact a new title under the Price-Anderson Act.

The resolution was read second time and was adopted.

SENATE CONCURRENT RESOLUTION 60 ON SECOND READING

On motion of Senator Barrientos and by unanimous consent, the regular order of business was suspended to consider at this time on its second reading:

S.C.R. 60, Directing the State Board of Education to develop, publish and adopt rules requiring individual educational plans for students with developmental disabilities.

The resolution was read second time and was adopted.

MOTION TO PLACE

COMMITTEE SUBSTITUTE SENATE BILL 404 ON SECOND READING

Senator Uribe moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 404, Relating to Pan American University at Brownsville.

The motion was lost by the following vote: Yeas 16, Nays 11. (Not receiving two-thirds vote of the Members present)

Yeas: Barrientos, Brooks, Caperton, Henderson, Kothmann, Krier, Mauzy, Montford, Parker, Parmer, Sarpalius, Sharp, Traeger, Truan, Uribe, Williams.

Nays: Blake, Brown, Edwards, Farabee, Glasgow, Harris, Howard, Jones, Leedom, McFarland, Sims.

Absent: Santiesteban.

Absent-excused: Lyon, Washington, Whitmire.

HOUSE BILL 934 ON SECOND READING

On motion of Senator Edwards and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 934, Relating to the regulation of certain private institutions of higher education; providing a penalty.

The bill was read second time and was passed to third reading.

HOUSE BILL 934 ON THIRD READING

Senator Edwards moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 934** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 765 ON SECOND READING

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 765, Relating to the manufacture for sale out of state of gambling devices, equipment, or paraphernalia.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 765 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 765** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 1.

Nays: Montford.

Absent-excused: Lyon, Washington, Whitmire.

HOUSE BILL 1229 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1229, Relating to the duties of a dental hygienist.

The bill was read second time and was passed to third reading.

HOUSE BILL 1229 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1229 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Lyon, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

MEMORIAL RESOLUTION

S.R. 330 - By Farabee: Memorial resolution for Elmer Huel Parish.

CONGRATULATORY RESOLUTIONS

S.C.R. 122 - By Brown: Honoring Connie R. Alexander.

S.R. 316 - By Washington, Brown: Commending Father Bruce Ritter and the Covenant House.

S.R. 329 - By Whitmire, Brooks, Brown, Henderson, Washington, Williams: Commending W. C. Miller.

S.R. 331 - By Brooks: Extending congratulations to the Texas Hospital Association.

ADJOURNMENT

On motion of Senator Mauzy, the Senate at 12:20 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

APPENDIX

Signed by Governor
(April 18, 1985)

H.C.R. 111

Sent to Governor
(April 22, 1985)

S.C.R. 116**S.B. 349****S.B. 416****S.B. 433****FIFTY-SEVENTH DAY**

(Tuesday, April 23, 1985)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire, Williams.